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For Immediate Release

FCC PROPOSES RULES TO ADDRESS 911 FEE DIVERSION

Agency Also Seeks Nominations for 911 Strike Force

WASHINGTON, February 17, 2021—The Federal Communications Commission today proposed rules to address 911 fee diversion—the practice by some states and jurisdictions of using the 911 fees that consumers pay on their phone bills for non-911 purposes.

The Don't Break Up the T-Band Act of 2020, enacted last December, directs the Commission to adopt rules that define what uses of 911 fees by states and jurisdictions constitute fee diversion. The Notice of Proposed Rulemaking adopted today seeks comment on proposals to implement these provisions in the new legislation. The proposed rules would:

- define the types of 911 fee expenditures by states and jurisdictions that are acceptable under the criteria in the new legislation;
- allow states and jurisdictions to petition the Commission for a determination that a 911 fee expenditure not previously designated as acceptable by the Commission could be treated as acceptable;
- prohibit any state or jurisdiction identified by the Commission as a fee diverter from serving on any advisory committee established by the Commission; and
- require any state or jurisdiction that receives a federal 911 grant to provide the Commission with the information it requires to prepare its annual 911 fee report to Congress.

The new legislation also directs the Commission to establish a federal advisory committee to study 911 fee diversion and develop recommendations to Congress to end this practice. The Commission will issue a Public Notice today seeking nominations for membership on this committee, the Ending 9-1-1 Fee Diversion Now Strike Force (911 Strike Force).

Americans place more than 200 million 911 calls each year. Funding for the 911 system is provided in part by the 911 fees established by states and territories that appear on consumer phone bills. Despite the critical importance of 911 service, the Commission's [annual reports](#) to Congress have repeatedly shown that some states divert a portion of the fees collected for 911 to other purposes.

Action by the Commission February 17, 2021 by Notice of Proposed Rulemaking (FCC 21-25). Acting Chairwoman Rosenworcel, Commissioners Carr, Starks, and Simington approving. Rosenworcel and Starks issuing separate statements.

PS Docket Nos. 20-291, 09-14

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).